



OFFICE OF THE ATTORNEY GENERAL OF TEXAS

AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable W. E. White, Director  
Texas Forest Service  
Agricultural and Mechanical College  
College Station, Texas

Dear Sir:

Opinion No. 0-5075

Re: Commissioners' courts are not  
authorized to expend county  
funds to support Forest Fire  
Fighters Service.

We have received and carefully considered the letters you sent us. We construe the letters submitted as requesting the opinion of this department as to whether a county can lawfully expend or contribute county funds to aid the Forest Fire Fighters Service, a part of the civilian defense organization, by paying a part of the cost of printing certain certificates and identification cards for such service.

It is well established in this State that the commissioners' court has only such authority as is expressly conferred or necessarily implied upon it by the Constitution and statutes of this State.

We have been unable to find any constitutional or statutory authority which would authorize the commissioners' court of a county to expend county funds for the purpose set out above.

Opinion No. 0-4529 of this department holds that a county is without legal authority to expend county funds to aid or support the Office of the Director of Civilian Defense.

Opinion No. 0-4074 of this department holds that a county is not authorized to expend county funds to aid the fire rationing and sugar rationing board.

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Under the authorities cited in opinions Nos. O-4529 and O-4074, it is our opinion that it would be illegal for any county in Texas to expend county funds for the purposes mentioned in your letters.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By *Wm. J. Fanning*

Wm. J. Fanning  
Assistant

WJF:mp

APPROVED MAR 1, 1943

*Gerald C. Mann*

ATTORNEY GENERAL OF TEXAS

